



ADMINISTRATION

OFFICE OF THE DEPUTY CHIEF MANAGEMENT OFFICER
9010 DEFENSE PENTAGON
WASHINGTON, DC 20301-9010

AUG 13 2014

MEMORANDUM FOR CHAIRMAN OF THE JOINT CHIEFS OF STAFF

SUBJECT: Board of Visitors, National Defense University – Charter Renewal and Membership Balance Plan Approval

The charter renewal (TAB A) and the membership balance plan (TAB B) for the Board of Visitors, National Defense University ("the Board") are approved. A copy of the Board's charter and membership balance plan will be provided to the Board's Designated Federal Officer (DFO) once the Advisory Committee Management Officer (ACMO) files the charter with the Congressional oversight committees, the Library of Congress, and the General Services Administration.

As part of the charter renewal process, this office, in consultation with the Office of General Counsel of the Department of Defense (OGC DoD), has affirmed that all individuals appointed to the Board, once approved by the Deputy Secretary of Defense, shall be appointed to serve as special government employee (SGE) or regular government employee (RGE) members, as appropriate. The following points apply:

- (a) Individual members approved for appointment or renewal by the Deputy Secretary of Defense, who are not full-time or permanent part-time Federal officers or employees, shall be appointed as experts or consultants, pursuant to 5 U.S.C. § 3109, to serve as SGE members. Those who are full-time or permanent part-time Federal officers or employees shall be appointed, pursuant to 41 C.F.R. § 102-3.130(a), to serve as RGE members.
- (b) Each member shall be notified, in writing, of the Deputy Secretary of Defense approval decision. In preparing your appointment or renewal of appointment letters, the Board's DFO should consult the ACMO and OGC DoD, to include the Standards of Conduct Office. At a minimum, the letters shall contain the following:
 - i. Notice that each individual's appointment to serve on the Board is without compensation, with the exception of reimbursement of official Board-related travel and per diem.
 - ii. A statement that each individual is appointed to serve as a SGE or RGE member, as appropriate.
 - iii. An explanation of the difference between serving as SGE and representative members.
 - iv. A summary of the applicable ethics requirements, to include whether SGE members are required to file a Confidential Financial Disclosure Report.

As the Board's DoD Sponsor, you are responsible for:

- (a) Ensuring that the Board's DFO attends all Board and subcommittee meetings for the entire duration of each and every meeting.
- (b) Ensuring that the DFO and the Board fully comply with all governing Federal statutes and regulations, DoD Instruction 5105.04, "Department of Defense Federal Advisory Committee Management Program," and policy decisions by the Secretary of Defense or the Director of Administration and Management.
- (c) Ensuring that all work done by the Board and its subcommittees is based upon written tasks or terms of reference assigned to the Board by the Secretary of Defense, the Deputy Secretary of Defense, or you, as the DoD Sponsor. All tasks or terms of reference are subject to public review and, at a minimum, shall include:
 - i. A description of the problem or policy to be analyzed and the DoD decision maker for the matter(s) under consideration.
 - ii. Authority for the members of the Board or its subcommittees to access DoD officials and DoD data that is pertinent to the matter(s) under consideration.
 - iii. A budget limitation under which the Board or its subcommittees must operate.
 - iv. A date by which the Board must submit its written conclusions (advice and recommendations) to the DoD decision maker.
- (d) Providing adequate support to the Board and its subcommittees, and ensuring that the Board and its subcommittees are not unduly or inappropriately influenced by Federal employees or any special interest group.
- (e) Ensuring that all visits to DoD installations or facilities by members of the Board and its subcommittees are done in consultation with the Secretary of the Military Departments or the Chairman of the Joint Chiefs of Staff, as appropriate.
- (f) Ensuring that all members of the Board and its subcommittees are appointed according to DoD policies and procedures. No member will participate in any work by the Board or its subcommittees until all of the following have been completed: the member completes and submits to DoD all personnel and ethics paperwork required for his or her appointment; the appropriate DoD offices process the individual's personnel and ethics paperwork; and the individual takes the oath of office for his or her appointment.
- (g) Ensuring that all DoD and other Federal Agency documents provided to the Board or its subcommittees are properly marked according to governing statutes, regulations, and DoD policies and procedures.
- (h) Monitoring the implementation status of any recommendation adopted by the DoD and ensuring that this information is available for future inquiries.

Based on the Secretary of Defense's memorandum of October 9, 2012, concerning advisory committees, we recommend you continually reevaluate the Board's functions and

reduce, where appropriate, the Board's operating costs. As the Secretary indicated, we must continually assess our advisory committees to ensure that they deliver appropriate value today and in the future as times and requirements change.

If you should have any questions about this DoD Program, the Federal governance and compliance requirements, the charter renewal, or the membership balance plan, please contact the ACMO, Mr. Jim Freeman, at 703-692-5952 or by email at james.d.freeman4.civ@mail.mil.

A handwritten signature in black ink, appearing to read 'Michael L. Rhodes', with a stylized, flowing script.

Michael L. Rhodes
Director

Attachments:
As stated

cc:
Office of General Counsel of the Department of Defense
Special Assistant to the Secretary of Defense (White House Liaison)

A

Charter
Board of Visitors, National Defense University

1. Committee's Official Designation: The Committee will be known as the Board of Visitors, National Defense University ("the Board").
2. Authority: The Secretary of Defense, in accordance with the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended) and 41 C.F.R. § 102-3.50(d), established this discretionary Board.
3. Objectives and Scope of Activities: The Board provides independent advice and recommendations on the overall management and governance of the National Defense University in achieving its mission to support the joint warfighter by providing rigorous Joint Professional Military Education to members of the U.S. Armed Forces and select others in order to develop leaders who have the ability to operate and creatively think in an unpredictable and complex world.
4. Description of Duties: The Board provides the Secretary of Defense and/or the Deputy Secretary of Defense, through the Chairman of the Joint Chiefs of Staff and the President of the National Defense University, independent advice and recommendations on accreditation compliance, organizational management, strategic planning, resource management, and other matters of interest to the National Defense University in its mission to support the warfighter through rigorous Joint Professional Military Education.
5. Agency or Official to Whom the Committee Reports: The Board reports to the Secretary of Defense or the Deputy Secretary of Defense, through the Chairman of the Joint Chiefs of Staff and the President of the National Defense University. The Chairman of the Joint Chiefs of Staff may act upon the Board's advice and recommendations.
6. Support: The Department of Defense (DoD), through the Office of the Chairman of the Joint Chiefs of Staff and the President of the National Defense University and the University Office of Academic Affairs, provides the necessary support for the performance of the Board's functions and ensures compliance with the requirements of the FACA, the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b, as amended) ("the Sunshine Act"), governing Federal statutes and regulations, and established DoD policies and procedures.
7. Estimated Annual Operating Costs and Staff Years: The estimated annual operating cost, to include travel, meetings, and contract support, is approximately \$75,000. The estimated annual personnel cost to the DoD is 0.4 full-time equivalents.
8. Designated Federal Officer (DFO): The Board's Designated Federal Officer (DFO), pursuant to DoD policy, shall be a full-time or permanent part-time DoD employee appointed in accordance with governing DoD policies and procedures.

The Board's DFO is required to be in attendance at all meetings of the Board and any of its subcommittees for the entire duration of each and every meeting. However, in the absence of the Board's DFO, a properly approved Alternate DFO, duly appointed to the Board

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Board of Visitors, National Defense University

according to established DoD policies and procedures, shall attend the entire duration of the Board or any subcommittee meeting.

The DFO, or the Alternate DFO, shall call all meetings of the Board and its subcommittees; prepare and approve all meeting agendas; and adjourn any meeting when the DFO, or the Alternate DFO, determines adjournment to be in the public interest or required by governing regulations or DoD policies and procedures.

9. Estimated Number and Frequency of Meetings: The Board shall meet at the call of the Board's DFO, in consultation with the Board's Chair and the President of the National Defense University. The estimated number of Board meetings is two per year.
10. Duration: The need for this advisory function is on a continuing basis; however, this charter is subject to renewal every two years.
11. Termination: The Board shall terminate upon completion of its mission or two years from the date this charter is filed, whichever is sooner, unless the Secretary of Defense or designee renews it.
12. Membership and Designation: The Board shall be comprised of no more than 12 members, who are appointed by the Secretary of Defense. The members are eminent authorities in the fields of defense, management, leadership, academia, national military strategy or joint planning at all levels of war, joint doctrine, joint command and control, or joint requirements and development.

The Secretary of Defense or the Deputy Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff, shall select the Board's Chair and Co-Chair from the approved Board membership. The leadership appointments shall not exceed the individual member's approved term of service.

Board members, who are not full-time or permanent part-time Federal officers or employees, shall be appointed as experts or consultants, pursuant to 5 U.S.C. § 3109, to serve as special government employee (SGE) members. Board members who are full-time or permanent part-time Federal employees shall be appointed, pursuant to 41 C.F.R. § 102-3.130(a), to serve as regular government employee (RGE) members.

Each Board member is appointed to provide advice to the government on the basis of his or her best judgment without representing any particular point of view and in a manner that is free from conflict of interest. With the exception of reimbursement for official Board-related travel and per diem, Board members shall serve without compensation.

The Secretary of Defense, or the Deputy Secretary of Defense, may approve the appointment of Board members for one-to-four year terms of service with annual renewals. However, no member, unless authorized by the Secretary of Defense or the Deputy Secretary of Defense, may serve more than two consecutive terms of service. This same

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Board of Visitors, National Defense University

term of service limitation also applies to any DoD authorized subcommittees.

In addition, the Chairman of the Joint Chiefs of Staff, pursuant to DoD policies and procedures, may appoint, as deemed necessary, non-voting consultants as subject matter experts (SMEs) to provide special expertise to the Board. These SMEs, if not full-time or part-time government employees, shall be appointed, pursuant to 5 U.S.C. § 3109, as SMEs, shall be appointed on an intermittent basis to work specific Board-related efforts, shall have no voting rights whatsoever on the Board or any of its subcommittees, shall not participate in the Board's deliberations, and shall not count toward the Board's total membership. All experts and consultants shall serve terms of appointments as determined by the Chairman of the Joint Chiefs of Staff, and those appointments may be renewed, as appropriate.

13. Subcommittees: The DoD, when necessary and consistent with the Board's mission and DoD policies and procedures, may establish subcommittees, task forces, or working groups to support the Board. Establishment of subcommittees will be based upon a written determination, to include terms of reference, by the Secretary of Defense, the Deputy Secretary of Defense, or the Chairman of the Joint Chiefs of Staff, as the DoD sponsor.

Such subcommittees shall not work independently of the Board and shall report all of their recommendations and advice solely to the Board for full and open deliberation and discussion. Subcommittees, task forces, or working groups have no authority to make decisions and recommendations, verbally or in writing, on behalf of the Board. No subcommittee or its members can update or report, verbally or in writing, on behalf of the Board, directly to the DoD or to any Federal officer or employee.

The Secretary of Defense or the Deputy Secretary of Defense will appoint subcommittee members to a term of service of one-to-four years, with annual renewals, even if the member in question is already a member of the Board. Subcommittee members shall not serve more than two consecutive terms of service unless authorized by the Secretary of Defense or the Deputy Secretary of Defense.

Subcommittee members, if not full-time or part-time Federal officers or employees, shall be appointed as experts and consultants, pursuant to 5 U.S.C. §3109, to serve as SGE members. Subcommittee members who are full-time or permanent part-time Federal officers or employees will serve as RGE members, pursuant to 41 C.F.R. § 102-3.130(a). With the exception of reimbursement for official Board-related travel and per diem, subcommittee members shall serve without compensation.

All subcommittees operate under the provisions of FACA, the Sunshine Act, governing Federal statutes and regulations, and established DoD policies and procedures.

14. Recordkeeping: The records of the Board and its subcommittees shall be handled according to section 2, General Records Schedule 26, and governing DoD policies and procedures. These records will be available for public inspection and copying, subject to the Freedom of Information Act of 1966 (5 U.S.C. § 552, as amended).

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Board of Visitors, National Defense University

15. Filing Date:

B

Membership Balance Plan
Board of Visitors, National Defense University

Agency: Department of Defense (DoD)

1. Authority: The Secretary of Defense, in accordance with the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended) and 41 C.F.R. § 102-3.50(d), established the Board of Visitors, National Defense University (“the Board”).
2. Mission/Function: The Board provides independent advice and recommendations to the Secretary of Defense and/or the Deputy Secretary of Defense, through the Chairman of the Joint Chiefs of Staff and the President of the National Defense University, on the overall management and governance of the National Defense University and its mission to support the joint warfighter by providing rigorous Joint Professional Military Education to members of the U.S. Armed Forces and select others in order to develop leaders who have the ability to operate and creatively think in an unpredictable and complex world. The Chairman of the Joint Chiefs of Staff may act upon the Board’s advice and recommendations.
3. Points of View: The Board is comprised of no more than 12 members who are eminent authorities in the fields of defense, management, leadership, academia, national military strategy or joint planning at all levels of war, joint doctrine, joint command and control, or joint requirements and development. The Department has found that viewing the complex issues facing the National Defense University through a multidisciplinary advisory committee provides the Department and, more importantly, the American public with a broader understanding on which to base subsequent policy decisions.

Each Board member is appointed to provide advice to the government on the basis of his or her best judgment without representing any particular point of view and in a manner that is free from conflict of interest.

Board members appointed by the Secretary of Defense or the Deputy Secretary of Defense, who are not full-time or permanent part-time Federal officers or employees, shall be appointed as experts and consultants, pursuant to 5 U.S.C. § 3109, to serve as special government employee (SGE) members. Those who are full-time or permanent part-time Federal officers or employees shall be appointed to serve as regular government employee (RGE) members, pursuant to 41 C.F.R. § 102-3.130(a).

The Board’s membership balance is not static, and the Secretary of Defense may change the membership based upon work assigned to the Board by the Secretary of Defense, the Deputy Secretary of Defense, or the Chairman of the Joint Chiefs of Staff, as the Board’s Sponsor. In addition, the DoD, unless otherwise instructed by statute or presidential directive, does not use representative members on DoD-established or supported advisory committees.

4. Other Balance Factors: N/A
5. Candidate Identification Process: The DoD, in selecting potential candidates for this Board, reviews the educational and professional credentials of individuals with extensive professional experience in the areas of primary interest to the National Defense University.

Membership Balance Plan
Board of Visitors, National Defense University

Potential candidates are identified by the National Defense University community, including existing Board members, and in some instances based upon discussions with other professionals. Nominations may be requested through the Federal Register, websites, and from all geographical locations within the United States or its Territories.

Once potential candidates are identified, the President, National Defense University, in consultation with the Board's Designated Federal Officer, reviews the credentials of each individual and narrows the list of potential candidates. During the President's review, he or she strives to achieve a balance between the educational and professional credentials of the individuals and the anticipated subject matters that will be reviewed by the Board to achieve expertise in points of view regarding anticipated topics.

After the list of candidates has been narrowed, it is forwarded to the Chairman of the Joint Chiefs of Staff for review and formal nomination to the Secretary of Defense.

Prior to nominating the potential candidates, the list of candidates will undergo a review by the Office of General Counsel of the Department of Defense and the Office of the Advisory Committee Management Officer to ensure compliance with Federal and DoD governance requirements, including compliance with the Board's charter and membership balance plan. Following this review, the Chairman of the Joint Chiefs of Staff formally nominates the potential candidates to the Secretary of Defense or the Deputy Secretary of Defense for approval. Pursuant to DoD policy, only the Secretary of Defense or the Deputy Secretary of Defense can invite or approve the appointment of individuals to serve on DoD-established or supported advisory committees and subcommittees, unless otherwise directed by statute or presidential directive.

Following approval by the Secretary of Defense or the Deputy Secretary of Defense, the candidates are required to complete the necessary appointment paperwork, to include meeting ethics requirements stipulated by the Office of Government Ethics for advisory committee members who are appointed as SGE members.

The Secretary of Defense or the Deputy Secretary of Defense may approve the appointment of members to the Board for one-to-four year terms of service, with annual renewals. However, no member, unless authorized by the Secretary of Defense or the Deputy Secretary of Defense, may serve more than two consecutive terms of service on the Board, to include its subcommittees.

Membership vacancies for the Board and subcommittees will be filled in the same manner as described in the previous six paragraphs above.

6. Subcommittee Balance: The DoD, when necessary and consistent with the Board's mission and DoD policies and procedures, may establish subcommittees, task forces, or working groups to support the Board.

All subcommittee members will be appointed in the same manner as Board members; that is,

Membership Balance Plan
Board of Visitors, National Defense University

the Secretary of Defense or the Deputy Secretary of Defense will appoint subcommittee members to a term of service of one-to-four years, with annual renewals, even if the member in question is already a member of the Board. Subcommittee members shall not serve more than two consecutive terms of service unless authorized by the Secretary of Defense or the Deputy Secretary of Defense. Subcommittee members, if not full-time or permanent part-time Federal employees, will be appointed as experts or consultants, pursuant to 5 U.S.C. § 3109, to serve as SGE members. Those individuals who are full-time or permanent part-time Federal employees will be appointed to serve as RGE members, pursuant to 41 C.F.R. § 102-3.130(a).

7. Other: As nominees are considered for appointment to the Board, the DoD adheres to the rules and regulations issued by the Office of Management and Budget's Final Guidance on Appointment of Lobbyists to the Federal Committees and Commissions (76 FR 61756; October 5, 2011) and the rules and regulations issued by the Office of Government Ethics.
8. Date Prepared:

C

CHARTER
BOARD OF VISITORS, NATIONAL DEFENSE UNIVERSITY

1. Committee's Official Designation: The Committee shall be known as the Board of Visitors, National Defense University (hereinafter referred to as "the Board").
2. Authority: The Secretary of Defense, under the provision of the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended), and 41 CFR § 102-3.50(d) (agency authority), established the Board.
3. Objectives and Scope of Activities: The Board shall provide independent advice and recommendations on the overall management and governance of the National Defense University in achieving its mission to support the joint warfighter by providing rigorous Joint Professional Military Education to members of the U.S. Armed Forces and select others in order to develop leaders who have the ability to operate and creatively think in an unpredictable and complex world.
4. Description of Duties: The Board shall provide the Secretary of Defense and the Deputy Secretary of Defense, through the Chairman of the Joint Chiefs of Staff and the President of the National Defense University, independent advice and recommendations on accreditation compliance, organizational management, strategic planning, resource management, and other matters of interest to the National Defense University in its mission to support the warfighter through rigorous Joint Professional Military Education.
5. Agency or Official to Whom the Committee Reports: The Board shall report to the Secretary of Defense and Deputy Secretary of Defense, through the Chairman of the Joint Chiefs of Staff and the President of the National Defense University. The Chairman of the Joint Chiefs of Staff may act upon the Board's advice and recommendations.
6. Support: The Department of Defense (DoD), through the Chairman of the Joint Chiefs of Staff and the President of the National Defense University, shall provide support, as deemed necessary, for the performance of the Board's functions, and shall ensure compliance with the requirements of the FACA, the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b) (hereinafter referred to as "the Government in the Sunshine Act"), governing Federal statutes and regulations, and DoD policies/procedures.

Additional information and assistance, as required and with DoD approval, may be obtained from other DoD Components with contracting authority and from support contractors, including DoD Federally Funded Research and Development Centers for studies and analysis support.

7. Estimated Annual Operating Costs and Staff Years: The estimated annual operating cost, to include travel, meetings, and contract support, is approximately \$100,000. The estimated annual personnel costs to the DoD are 0.6 full-time equivalents.

8. Designated Federal Officer (DFO): The Board's DFO, pursuant to DoD policy, shall be a full-time or permanent part-time DoD employee, and shall be appointed in accordance with governing DoD policies and procedures.

In addition, the Board's DFO is required to be in attendance at all Board and subcommittee meetings for the entire duration of each and every meeting. However, in the absence of the Board's DFO, a properly approved Alternate DFO, duly appointed to the Board according to DoD policies and procedures, shall attend the entire duration of the Board or subcommittee meetings.

The DFO, or the Alternate DFO, shall call all of the Board's and subcommittee's meetings; prepare and approve all meeting agendas; adjourn any meeting, when the DFO or Alternate DFO, determines adjournment to be in the public interest or required by governing regulations or DoD policies/procedures; and chair meetings when directed to do so by the official to whom the Board reports.

9. Estimated Number and Frequency of Meetings: The Board shall meet at the call of the Board's DFO, in consultation with the President of the National Defense University. The estimated number of Board meetings is two per year.
10. Duration: The need for this advisory function is on a continuing basis; however, this charter is subject to renewal every two years.
11. Termination: The Board shall terminate upon completion of its mission or two years from the date this charter is filed, whichever is sooner, unless the Secretary of Defense or designee extends it.
12. Membership and Designation: The Board shall be comprised of no more than 12 members, who are appointed by the Secretary of Defense. The members are eminent authorities in the fields of defense, management, leadership, academia, national military strategy or joint planning at all levels of war, joint doctrine, joint command and control, or joint requirements and development.

The Board's Chairperson and Co-Chairperson shall be approved by the Secretary of Defense based upon recommendation from the Board's Membership in consultation with the Chairman of the Joint Chiefs of Staff. The Chairperson and Co-Chairperson shall serve at the discretion of the Secretary of Defense.

Board members appointed by the Secretary of Defense, who are not full-time or permanent part-time Federal employees, shall be appointed to serve as experts and consultants under the authority of 5 U.S.C. § 3109 and shall serve as special government employees. Each Board member is appointed to provide advice on behalf of the government on the basis of his or her best judgment without representing any particular point of view and in a manner that is free from conflict of interest.

The Secretary of Defense may approve the appointment of Board members for one-to-four year terms of service, with annual renewals; however, no member, unless authorized by the Secretary of Defense, may serve more than two consecutive terms of service. This same term of service limitation also applies to any DoD authorized

subcommittees.

The Chairman of the Joint Chiefs of Staff may invite other distinguished Government officials to serve as non-voting observers of the Board. In addition, the Chairman of the Joint Chiefs of Staff may appoint consultants, with special expertise, to assist the Board on an ad hoc basis, who shall be, if approved by the Secretary of Defense, appointed under the authority of 5 U.S.C. § 3109. The non-voting observers and the experts/consultants shall not have voting rights on the Board or its subcommittees, shall not count toward the Board's total membership, and shall not engage in Board deliberations.

13. Subcommittees: With DoD approval, the Board shall be authorized to establish subcommittees, task groups, or working groups, as required and consistent with its mission and DoD policies and procedures. Establishment of subcommittees will be based upon a written determination, to include terms of reference, by the Secretary of Defense, the Deputy Secretary of Defense, or the Board's sponsor.

These subcommittees shall not work independently of the chartered Board, and shall report all of their recommendations and advice solely to the Board for full deliberation and discussion. Subcommittees have no authority to make decisions and recommendations, verbally or in writing, on behalf of the chartered Board; nor can any subcommittee or its members update or report directly to the DoD or any Federal officers or employees.

All subcommittee members shall be appointed in the same manner as the Board members; that is, the Secretary of Defense shall appoint subcommittee members even if the member in question is already a Board member. Subcommittee members, with the approval of the Secretary of Defense, may serve a term of service on the subcommittee of one-to-four years; however, no member shall serve more than two consecutive terms of service on the subcommittee.

Subcommittee members, if not full-time or part-time government employees, shall be appointed to serve as experts and consultants under the authority of 5 U.S.C. § 3109, and shall serve as special government employees, whose appointments must be renewed by the Secretary of Defense on an annual basis. With the exception of travel and per diem for official Board related travel, subcommittee members shall serve without compensation.

All subcommittees operate under the provisions of FACA, the Government in the Sunshine Act, governing Federal statutes and regulations, and governing DoD policies/procedures.

14. Recordkeeping: The records of the Board and its subcommittees shall be handled according to section 2, General Record Schedule 26, and appropriate DoD policies and procedures. These records shall be available for public inspection and copying, subject to the Freedom of Information Act of 1966 (5 U.S.C. § 552, as amended).

15. Filing Date: August 30, 2012

D



**DEPARTMENT OF DEFENSE
NATIONAL DEFENSE UNIVERSITY
WASHINGTON DC 20319-5066**

**REPLY TO
ATTENTION OF:**

17 JUL 2014

Office of the Senior Vice President

MEMORANDUM FOR DIRECTOR OF ADMINISTRATION AND MANAGEMENT

**THROUGH: ADVISORY COMMITTEE MANAGEMENT OFFICE, PENTAGON,
WASHINGTON, DC 20301**

DIRECTOR, THE JOINT STAFF, PENTAGON, WASHINGTON, DC 20318

**SUBJECT: National Defense University's Board of Visitors Charter Renewal Request,
Reference DoDI 5105.04, Para E3.4.6, dated Aug 6, 2007**

I am respectfully requesting your approval of the renewal of the National Defense University (NDU) Board of Visitors (BOV) charter that expires on 30 August 2014. We are seeking no changes to the current charter. Due to personnel issues and internal changes beyond the control of the Designated Federal Officer, this charter renewal request is outside of the prescribed 90-day timeframe.

The most important role of the National Defense University (NDU) Board of Visitors (BOV) is that of an advisory and independent sounding board, furnishing constructive input to the University leadership, the Chairman of the Joint Chiefs of Staff (CJCS), and the Secretary of Defense (SecDef). The Board provides expert guidance on a wide range of vital issues and greatly contributes to the University's education, outreach and research missions. At the same time, the Board has continued to serve as a guardian of institutional integrity, advising and assisting the University President, Provost and CJCS to ensure the University continues to fulfill its stated mission. To offer that level of support and challenge, the Board must be allowed to continue to operate under an OSD approved Charter which permits the Board to maintain open and transparent communications between the University and its constituents and external stakeholders. In addition, NDU's accrediting body, the Middle States Commission for Higher Education (MSCHE), requires that member institutions have an active and autonomous governing body to ensure institutional integrity, policy development and resource allocation consistent with its mission.

The Board continues to accomplish its mission. The Board's mission is to provide advice and recommendations on several areas of the University's Operations: accreditation compliance, organizational management, strategic planning, resource management, and other matters of interest to NDU. As a Federal advisory committee, The Board is a highly effective, results oriented organization committed to mission success and Joint Professional Military Education (JPME) excellence. Several examples of BOV engagement are as follows:

a. The BOV recommended to the CJCS to reverse the decision to replace the military commandants with civilian leaders. The CJCS agreed to reverse the decision although he did lower the required rank of the Commandants to a one-star position and the University President to a two-star position. In further communicating with the CJCS, the Board encouraged him to be selective on hiring Commandants that were promotable, making the assignment at NDU a coveted and highly regarded stepping stone. The Chairman also heeded this advice.

b. The BOV asked the Chairman to look at NDU's organizational structure and to ensure that there is only one recognized Chief Academic Officer (CAO). This was a necessary step, as the Board pointed out, to enhance decision-making capability and setting priorities. The CJCS responded by supporting clear academic lines of authority through the NDU Provost and ensured his backing of a CAO, the NDU Provost.

The Board's continued operation is vital. The Board comes together twice each academic school year or at the call of the Board's Designated Federal Officer, in consultation with the University President. Each standing NDU-President has agreed that twice a year is adequate to review academic programs, growth and expansion, institutional structure, teaching, research, professional exchange and outreach programs. All meetings are highly relevant to what the University is doing operationally and positively impact the mission of the University. And while in-person meetings are held only twice a year, the Board remains fully engaged as necessary via email and by phone. For example, the Board held a virtual meeting by phone to discuss vital information about recent significant changes to the curriculum.

The advice and/or recommendations that the Board provides cannot be obtained elsewhere. No existing student, staff, or faculty, or external committee can perform the Board's functions. As in all highly regarded academic institutions, the observations, reviews and criticism of accomplished persons in various disciplines and professional backgrounds outside the NDU faculty and staff structure and external to government are needed to maintain a viable and forward looking educational program for senior students representing diverse professional backgrounds. Accordingly, it is highly desirable to have an advisory board whose members have served at the highest levels of policy and decision-making in the Services, Federal Government, academia, and other realms, where they are recognized as top authorities in their field. In addition, MSCHE, NDU's accrediting body states that a university must have "a governing/advisory board actively fulfilling its responsibilities of policy and resource development." Accreditation empowers the University to grant accredited masters degrees that are recognized by all member institutions as having sufficient rigor and substance. Without a governing board, NDU would not meet MSCHE standards or be reaccredited.

The discontinuation of the Board of Visitors would be devastating for DoD, the Joint Staff and the advancement of Joint Professional Military Education (JPME). A decision to discontinue the NDU-BOV would have a tremendously negative impact on the continuance of JPME as we know it today. The Board continues to serve as a guardian of institutional integrity, assisting the NDU President, CJCS and Secretary of Defense to ensure the University continues to fulfill its stated mission. More importantly, MSCHE mandates the University's need for a

governing body as a prerequisite for accreditation. This is addressed in MSCHE Standard-4, Leadership and Governance as follows: *The institution's system of governance clearly defines the roles of institutional constituencies in policy development and decision-making. The governance structure includes an active governing body with sufficient autonomy to assure institutional integrity and to fulfill its responsibilities of policy and resource development, consistent with the mission of the institution.* In short, discontinuation of the NDU Board of visitors would directly put the institution's accreditation at risk and affect the authority to award a Master's Degree.

The National Defense University point of contact for this matter is Dr. Brenda Roth; BOV Designated Federal Officer; (202) 685-3789; RothB@ndu.edu.



WANDA L. NESBITT
Senior Vice President
National Defense University

Enclosures:

1. NDU Charter
2. Committee Member Roster & Balance Sheet
3. Membership Balance Plan
4. Membership Balance Plan Questions